

247346

USCG-2003-14749-2

USCG CATEGORICAL EXCLUSION DETERMINATION

FOR

VESSEL SECURITY

33 CFR Part 104

[USCG-2003-14749]

This temporary interim rule will integrate port security-related requirements in the Maritime Transportation Security Act of 2002 (MTSA) and the International Ship and Port Facility Security (ISPS) Code into added part 104 – Vessel Security of the new Subchapter H of Title 33 of the Code of Federal Regulations. Specifically, this rule will require owners or operators of certain vessels to designate security officers for vessels, develop security plans based on security assessments, implement security measures specific to the vessel's operation, and comply with Maritime Security Levels in order to reduce the risk of and to mitigate the results of an act that threatens the security of the crew, the vessel, and the public.

This action has been thoroughly reviewed by the Coast Guard, and it has been determined by the undersigned to be categorically excluded under current Coast Guard CE #34(a), (c) and (d) from further environmental documentation, in accordance with Section 2.B.2. and Figure 2-1 of the NEPA Implementing Procedures, COMDTINST M16475.1D, since implementation of this action will not result in any:

1. Significant cumulative impacts on the human environment;
2. Substantial controversy or substantial change to existing environmental conditions;
3. Impacts which are more than minimal on properties protected under 4(f) of the DOT Act, as superseded by Public Law 97-449 and Section 106 of the National Historic Preservation Act; or

4. Inconsistencies with any Federal, State, or local laws or administrative determinations relating to the environment.

<u>6/3/2003</u> Date	<u>E. Ryan</u> Preparer	Elena D. Ryan Acting Chief, Standards Evaluation and Analysis Division
<u>6/11/2003</u> Date	<u>Ed Wandelt</u> Environmental Reviewer	Ed Wandelt Chief, Environmental Management Division
<u>6/23/2003</u> Date	<u>Thomas H Collins</u> Responsible Official	Thomas H. Collins, ADM Commandant U.S. Coast Guard

ENVIRONMENTAL CHECKLIST

NOTE: This checklist should be completed by the decision-maker in consultation with an **ENVIRONMENTAL PROTECTION SPECIALIST**. Please read the information on how to properly complete this checklist on pages 4-10 and make sure each question is answered using the accompanying explanations found on the pages cited after each question. Attempting to answer these questions without reading the accompanying explanations may result in an incorrect or incomplete environmental analysis.

***Project Description:**

This temporary interim rule will integrate port security-related requirements in the Maritime Transportation Security Act of 2002 (MTSA) and the International Ship and Port Facility Security (ISPS) Code into added part 104 — Vessel Security of the new Subchapter H of Title 33 of the Code of Federal Regulations. Specifically, this rule will require owners or operators of certain vessels to designate security officers for vessels, develop security plans based on security assessments, implement security measures specific to the vessel's operation, and comply with Maritime Security Levels in order to reduce the risk of and to mitigate the results of an act that threatens the security of the crew, the vessel, and the public.

Activity Year: 2003

(*Note: Checklist preparer may want to attach additional descriptive information on the proposed action such as: diagrams, site maps, and photographs.)

Part I. Checklist Analysis.**YES NO NEED
DATA**

1. Is there likely to be a significant effect on public health or safety? (p. 5)		X	
2. Does the proposed action occur on or near a unique characteristic of the geographic area, such as a historic or cultural resource, park land, prime farmland, wetland, wild and scenic river, ecologically critical area, or property requiring special consideration under 49 U.S.C. 303(c)? (p. 5-6)		X	
3. Is there a potential for effects on the quality of the environment that are likely to be highly controversial in terms of scientific validity or public opinion? (p. 7)		X	
4. Is there a potential for effects on the human environment that are highly uncertain or involve unique or unknown risks? (p. 7)		X	
5. Will the action set a precedent for future actions with significant effects or a decision in principle about a future consideration? (p. 7)		X	
6. Are the action's impacts individually insignificant, but cumulatively significant when considered along with other past, present, and reasonably foreseeable future actions? (p. 7-8)		X	
7. Is the proposed action likely to have a significant impact on a district, site, highway, structure, or object that is listed in or eligible for listing in the National Register of Historic Places, or to cause the loss or destruction of a significant scientific, cultural, or historic resource? (p.8)		X	
8. Will the proposed action have a significant effect on species or habitats protected by the Endangered Species Act? (p. 9)		X	
9. Is there a potential or threatened violation of a Federal, State, or local law or requirement imposed for the protection of the environment? (p. 9-10)		X	
10. Is the action likely to have other significant effects on public health and safety or on any other environmental media or resources that are not specifically identified in this checklist? (p. 10)		X	

Part II. Comments or Additional Information Related to Part I:

1. A CE is recommended for this proposed action. [X]
 Comments: Since this Coast Guard action falls under #34 (a), (c) and (d) of the Coast Guard's NEPA Implementing Procedures and Policy for Considering Environmental Impacts, COMDTINST M16475.1D a CE meets this criteria.

Comments: _____

Comments:

Bradley K. McKittrick
Economist, Standards
Evaluation and
Analysis Division

Ed Wandelt
Chief, Environmental
Management Division

****Signature of the Environmental Reviewer for the Bridge Administration Program may be that of the preparer's.**